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FINANCING OF THE UNITED NATIONS OPERATION IN SOMALIA II

Report of the Fifth Committee (Part II)

Rapporteur: Mr. Larbi DJACTA (Algeria)

I. INTRODUCTION

1. The previous recommendations made by the Fifth Committee to the General Assembly under agenda item 123 appear in the report of the Committee contained in document A/49/757.

2. The Fifth Committee considered the item entitled "Financing of the United Nations Operation in Somalia II" at its 36th meeting, on 21 December 1994. The Committee had before it the reports of the Secretary-General (A/48/850/Add.1 and Add.1/Corr.1 and A/49/563 and Corr.1 and Add.1) and of the Advisory Committee on Administrative and Budgetary Questions (A/49/762 and Corr.1). Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary record (A/C.5/49/SR.36).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.5/49/L.24

3. At the 36th meeting, on 21 December, the representative of the Islamic Republic of Iran introduced a draft resolution entitled "Financing of the United Nations Operation in Somalia II" (A/C.5/49/L.24), submitted by the Chairman following informal consultations.

4. At the same meeting, the Committee adopted draft resolution A/C.5/49/L.24 without a vote (see para. 5).

III. RECOMMENDATION OF THE FIFTH COMMITTEE

5. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Financing of the United Nations Operation in Somalia II

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Operation in Somalia II 1/ and the related report of the Advisory Committee on Administrative and Budgetary Questions, 2/

Recalling Security Council resolutions 751 (1992) of 24 April 1992, by which the Council established the United Nations Operation in Somalia, and 814 (1993) of 26 March 1993, by which the Council expanded the size and mandate of the United Nations Operation in Somalia II, and the subsequent resolutions of the Council that extended the mandate of the Operation, the latest of which was resolution 954 (1994) of 4 November 1994, by which the Council extended the mandate of the Operation for a final period until 31 March 1995,

Recalling also its resolution 47/41 of 1 December 1992 on the financing of the United Nations Operation in Somalia and its subsequent resolutions and decisions, the latest of which were resolution 48/239 of 24 March 1994 and decision 49/414 of 8 December 1994,

Reaffirming that the costs of the United Nations Operation in Somalia II are expenses of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations,

Recalling its previous decisions regarding the fact that, in order to meet the expenditures caused by the United Nations Operation in Somalia II, a different procedure is required from that applied to meet expenditures of the regular budget of the United Nations,

Taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards such operations,

Bearing in mind the special responsibilities of the States permanent members of the Security Council, as indicated in General Assembly resolution 1874 (S-IV) of 27 June 1963, in the financing of such operations,

Mindful of the fact that it is essential to provide the United Nations Operation in Somalia II with the necessary financial resources to enable it to

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1/ A/48/850/Add.1 and Add.1/Corr.1, A/49/563 and Corr.1 and Add.1.

2/ A/49/762 and Corr.1.

fulfil its responsibilities under the relevant resolutions of the Security Council,

Expressing deep concern about the loss of the United Nations assets and the theft of 3.9 million United States dollars from the United Nations Operation in Somalia II and the absence of any detailed formal report in writing on this matter to date on the part of the Secretariat,

Reiterating the need for transparency in the relationship between the Secretariat and Member States in such matters,

1. Requests the Secretary-General to give a written report to the General Assembly no later than 31 January 1995 on the progress of the investigation undertaken by the Office of Internal Oversight Services and action thereon to determine responsibility for the theft of 3.9 million dollars and to recover the missing funds, as well as disciplinary measures taken in this regard and controls put in place to avoid the recurrence of similar incidents in future;

2. Takes note of the status of contributions to the United Nations Operation in Somalia II as at 20 December 1994, including the contributions outstanding in the amount of 192,869,981 dollars, and urges all Member States concerned to make every possible effort to ensure the payment of their outstanding assessed contributions;

3. Expresses concern about the financial situation with regard to peace-keeping activities, particularly as regards the reimbursement of troop contributors, due to overdue payments by Member States of their assessments, particularly Member States in arrears;

4. Urges all Member States to make every possible effort to ensure payment of their assessed contributions to the United Nations Operation in Somalia II promptly and in full;

5. Expresses concern at the slow progress in the reimbursement to Member States for the use of contingent-owned and other equipment, and urges the Secretary-General to enhance his efforts in this regard in view of the imminent closure of the United Nations Operation in Somalia II;

6. Endorses the observations and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions; 2/

7. Endorses also the request to the Board of Auditors, contained in paragraph 19 of the report of the Advisory Committee, to conduct, in the course of its audit of the United Nations Operation in Somalia II, a specific examination of the contractual and logistic services, including the negotiation and award of contracts, the procedure for establishing the price in relation to the quality and level of the services rendered, control and monitoring of expenditure and certification of such expenditure by the United Nations;

8. Decides to appropriate, in accordance with the recommendation contained in paragraph 40 of the report of the Advisory Committee, to the Special Account for the United Nations Operation in Somalia II the amount of

245,447,700 dollars gross (242,110,600 dollars net) for the maintenance of the Operation for the period from 1 June to 30 September 1994, authorized under General Assembly resolution 48/239;

9. Decides also, as an ad hoc arrangement, and taking into account the amount of 154,885,034 dollars gross (152,664,834 dollars net) already apportioned in accordance with General Assembly resolution 48/239, to apportion the additional amount of 90,562,666 dollars gross (89,445,766 dollars net) among Member States for the period from 1 June to 30 September 1994 in accordance with the composition of groups set out in paragraphs 3 and 4 of Assembly resolution 43/232 of 1 March 1989, as adjusted by the Assembly in its resolutions 44/192 B of 21 December 1989, 45/269 of 27 August 1991, 46/198 A of 20 December 1991 and 47/218 A of 23 December 1992 and its decision 48/472 A of 23 December 1993, and taking into account the scale of assessments for the years 1992, 1993 and 1994 as set out in Assembly resolutions 46/221 A of 20 December 1991 and 48/223 A of 23 December 1993 and decision 47/456 of 23 December 1992;

10. Decides further that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 9 above, their respective share in the Tax Equalization Fund of the estimated additional staff assessment income of 1,116,900 dollars for the period from 1 June to 30 September 1994;

11. Decides that there shall be set off against the apportionment among Member States, as provided for in paragraph 9 above, their respective share in the additional unencumbered balance of 2,498,300 dollars gross (1,920,400 dollars net) in respect of the period from 1 May to 31 October 1993;

12. Decides also that there shall be set off against the apportionment among Member States, as provided for in paragraph 9 above, their respective share in the unencumbered balance of 25,404,400 dollars gross (23,746,900 dollars net) in respect of the period from 1 November 1993 to 31 May 1994;

13. Decides further to appropriate, in accordance with the recommendation contained in paragraph 40 of the report of the Advisory Committee, 2/ to the Special Account for the United Nations Operation in Somalia II the amount of 253,704,400 dollars gross (250,405,600 dollars net) for the maintenance of the Operation for the period from 1 October 1994 to 28 February 1995;

14. Decides, as an ad hoc arrangement, to apportion the amount of 253,704,400 dollars gross (250,405,600 dollars net) among Member States for the period from 1 October 1994 to 28 February 1995 in accordance with the composition of groups set out in paragraphs 3 and 4 of General Assembly resolution 43/232, as adjusted by the Assembly in its resolutions 44/192 B, 45/269, 46/198 A and 47/218 A and its decision 48/472 A, the scale of assessments for the year 1994 3/ to be applied against a portion thereof, that is, 167,420,200 dollars gross (165,083,000 dollars net), which is the amount

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3/ See resolutions 46/221 A and 48/223 A and decision 47/456.

pertaining to the period ending 31 December 1994, and the scale of assessments for the year 1995 4/ to be applied against the balance, that is, 86,284,200 dollars gross (85,322,600 dollars net), for the period from 1 January to 28 February 1995;

15. Decides also that, in accordance with the provisions of its resolution 973 (X), there shall be set off against the apportionment among Member States, as provided for in paragraph 14 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 3,298,800 dollars for the period from 1 October 1994 to 28 February 1995, 2,337,200 dollars being the amount pertaining to the period from 1 October to 31 December 1994 and the balance, that is, 961,600 dollars, for the period from 1 January to 28 February 1995;

16. Requests the Secretary-General to submit a report, in the context of the revised cost estimates related to the final mandate period of the United Nations Operation in Somalia II, on the disposal of the Operation's assets and liabilities, so as to enable appropriate decisions to be taken by the General Assembly during its resumed forty-ninth session;

17. Invites voluntary contributions to the United Nations Operation in Somalia II in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure established by the General Assembly in its resolutions 43/230 of 21 December 1988, 44/192 A of 21 December 1989 and 45/258 of 3 May 1991;

18. Requests the Secretary-General to take all necessary action to ensure that all United Nations activities related to the United Nations Operation in Somalia II are administered under the authority of his Special Representative in a coordinated fashion with a maximum of efficiency and economy and in accordance with the relevant mandate, and to include information on the arrangements made in this regard in his report on the financing of the Operation;

19. Decides to include in the provisional agenda of its fiftieth session the item entitled "Financing of the United Nations Operation in Somalia II".

4/ See resolution 49/___.